

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2022-2-E ORDER NO. 2022-12-H

FEBRUARY 16, 2022

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Annual Review of Base Rates for Fuel Costs for Dominion Energy South Carolina, Incorporated (For Potential Increase or Decrease in Fuel Adjustment)

MATTER UNDER CONSIDERATION:

Request for Ruling on Applicability of Rule Requiring Commission Permission for Party to File Surrebuttal Testimony as per the January 27, 2022 Directive, which became Order No. 2022-58

CHIEF HEARING OFFICER'S ACTION:

The Office of Regulatory Staff ("ORS") poses the following inquiry regarding the necessity for it to request permission from the Commission to file Surrebuttal Testimony in this Docket:

"On October 13, 2021, the Clerk's Office issued a Prefile Testimony Letter, establishing a procedural schedule in the above-referenced docket. This letter includes a date for surrebuttal testimony. On January 27, 2022, the Commission issued a Directive in a different docket, Docket No. 2021-291-A, which adopted a procedure to address surrebuttal testimony. Pursuant to the Directive, the adopted procedures went into effect immediately as the Commission Clerk's Office develops a procedural schedule where prefiled testimony is anticipated.

The procedural schedule in Docket No. 2022-2-E was developed and approved prior to the issuance of the Commission's Directive regarding surrebuttal testimony in Docket No. 2021-291-A. As such, ORS respectfully requests confirmation that ORS and other intervening parties may prefile surrebuttal testimony in this docket without filing a Motion to Prefile Surrebuttal Testimony."

After due consideration of this matter, I agree with ORS that no permission must be sought prior to filing Surrebuttal Testimony and Exhibits by ORS or other intervening parties, if such testimony and exhibits are filed in accordance with the Clerk's Office letter in the present Docket. Clearly the issuance of this letter pre-dated the issuance of the January 27, 2022 Directive (and subsequently Order No. 2022-58) requiring the Commission's permission to file surrebuttal testimony. Accordingly, for this Docket, no permission is

needed prior to filing Surrebuttal Testimony and Exhibits in accordance with the Clerk's Office letter. This ends the Chief Hearing Officer's Directive.